IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.168 OF 2006
WITH
CIVIL APPLICATION NO.169 OF 2006
IN
APPEAL FROM ORDER (STAMP) NO.3843 OF 2006
WITH
CIVIL APPLICATION NO.170 OF 2006
WITH
CIVIL APPLICATION NO.171 OF 2006
IN
APPEAL FROM ORDER (STAMP) NO.3837 OF 2006
WITH
CIVIL APPLICATION NO.172 OF 2006
WITH
CIVIL APPLICATION NO.173 OF 2006
IN
APPEAL FROM ORDER (STAMP) NO.3808 OF 2006

Uttamchand H.Jain, etc. etc. ...Applicants

Versus

M/s.Shreeji Builders & Ors. ...Respondents

.....

Mr.M.S.Bhandari i/b Mr.N.M.Shah for Applicants.

Mr.R.J.Majra for Respondent No.1.

.....

CORAM: A.M.KHANWILKAR, J.

MARCH 29, 2006.

P.C.

1. Heard Counsel for the parties. Perused

the pleadings.

2. Delay in filing present Appeals from Order is only of 96 days. The same has been explained in the Applications as filed. In my opinion, the explanation offered is sufficient cause to condone the delay. Moreso, because Appeals against the self same impugned order dated 21st September 2005 has been filed by Society which has already been admitted by this Court. In that sense, no prejudice would be caused to the Respondents if the delay in filing the present Appeals was to be condoned.

3. Accordingly, in the interest of justice, Applications are allowed in terms of prayer clause (a).

4. The main Appeals from Order be registered at the earliest, if there are no other office objections and be listed for admission on 25th April 2006. Parties may exchange pleadings in the Appeals from Order, if so advised. Appeals from Order No.996 of 2005 be listed on that date, so

that, even the said Appeal from Order can be disposed of finally, if so required.

5. Mr.Majra waives notice in Appeals from Order (Stamp) Nos.3843/06, 3837/06 and 3808/06. Incidentally, he appears for the same Respondents in companion Appeal from Order No.996 of 2005. Accordingly, all the matters can proceed on 25th April 2006.

A.M.KHANWILKAR, J.